

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
January 12, 2016

The regular meeting of the Planning Commission Subdivision Committee of the County of Kaua'i was called to order at 8:35 a.m., at the Lihu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Mr. Sean Mahoney
Mr. Louis Abrams

Absent and Excused:
Ms. Amy Mendonca

The following staff members were present: Planning Department – Dale Cua, Leslie Takasaki; Deputy County Attorney Jodi Higuchi-Sayegusa; Office of Boards and Commissions – Administrator Jay Furfaro, Commission Support Clerk Darcie Agaran

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Vice Chair Mahoney called the meeting to order at 8:35 a.m.

ROLL CALL

Staff Planner Dale Cua: Moving on to Roll Call, Chair. Chair Mahoney?

Vice Chair Mahoney: Here.

Mr. Cua: Commissioner Abrams?

Mr. Abrams: Here.

Mr. Cua: Commissioner Mendonca is absent, so we have two (2) Commissioners present.

Vice Chair Mahoney: Okay.

APPROVAL OF AGENDA

Vice Chair Mahoney: Approval of the Agenda.

Mr. Abrams: Move to approve.

Vice Chair Mahoney: Second. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Motion carries 2:0. The agenda is approved.

MINUTES of the meeting(s) of the Subdivision Committee

Meeting of December 8, 2015

Vice Chair Mahoney: Minutes of the Subdivision Committee December 8, 2015.

Mr. Abrams: Move to approve.

Vice Chair Mahoney: Second. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Motion carries 2:0.

RECEIPT OF ITEMS FOR THE RECORD (None)

Vice Chair Mahoney: Receipt of Items for the Record.

Mr. Cua: We have none this morning.

HEARINGS AND PUBLIC COMMENT

Vice Chair Mahoney: Hearings and Public Comment. Does any member of the public care to testify on any agenda item at this point or when it comes up? Hearing none. We'll move on.

GENERAL BUSINESS MATTERS (None)

Vice Chair Mahoney: General Matters.

Mr. Cua: None this morning.

UNFINISHED BUSINESS (None)

Vice Chair Mahoney: Unfinished Business.

Mr. Cua: None.

NEW BUSINESS (For Action)

Tentative Subdivision Approval

Subdivision Application No. S-2016-9; Donna E. Richards; Proposed 2-lot Subdivision; TMK: (4) 2-5-004:025; Lāwaʻi, Kauai

Vice Chair Mahoney: New Business for Action. Tentative Subdivision Approval. Subdivision Application No. S-2016-9; Donna E. Richards; proposed 2-lot subdivision; TMK: (4) 2-5-004:025; Lāwaʻi, Kauaʻi. Can we have the report from the Planner, please?

Mr. Cua: Sure. Thank you, Chair. What you have before you is an application involving a proposed 2-lot subdivision for a property that's in Lāwaʻi. As noted in the subdivision report, there are existing residences on the property, and the proposal would, essentially, separate the interest of the property into two (2) lots; each of the lots would then contain a house and an ADU on the property. The proposal has been routed to the various reviewing agencies for their review and comment. The Department has incorporated these requirements into the subdivision report. As a result, we are recommending tentative subdivision approval of this application.

Vice Chair Mahoney: Are there any questions for the Planner?

Mr. Abrams: Dale, you've got...on the existing road right-of-ways, we need Kaumualiʻi Highway instead of Kūhiō. The project information.

Mr. Cua: Oh, thank you.

Mr. Abrams: My one deals with this particular condition here that the Department of Health has taken, and one of them is...I mean, I understand the issue in regards to there is a public drinking water source there. But I do not understand why it would need to be hooked up to a public sewer system.

Mr. Cua: Right.

Mr. Abrams: I mean, I realize that's their comments and we usually articulate that. Is that something...I mean, I'm concerned enough to ask that it be deleted, but I don't want to overstep boundaries when we are taking the recommendation.

Mr. Cua: I actually had a discussion with the Health Department, a representative of the Health Department, yesterday. They realized the comment that they made, and it's a standard requirement that they impose on proposed subdivisions within 1,000 feet of a public drinking source. I think what makes this project unique is from the standpoint that there are existing residences on the property, and as I mentioned before, the proposal will just basically separate the homes into separate lots. Generally speaking, whenever you have a subdivision within a public drinking water source, often times there are no residences on these lots, and then the concern will be brought up then. So in talking to the representative, they understand that the applicant will be discussing this particular requirement with them in hopes of trying to resolve, and hopefully this issue becomes moot.

Mr. Abrams: Okay, good. Because they've already approved the wastewater systems that went to those dwellings before that.

Mr. Cua: Right. And the homes are there already.

Mr. Abrams: Okay, thank you.

Vice Chair Mahoney: Any further questions? Is there a representative for the applicant present? Could you state your name for the record, please?

Alan Hiranaka: Alan Hiranaka, Hiranaka Surveying, representing the owners.

Vice Chair Mahoney: Okay. This is a tentative subdivision approval, but you did hear the discussion regarding waste and so forth. Do you have any comments you would like to make?

Mr. Hiranaka: No. The only comment I have is what Commissioner Abrams mentioned about the DOH comments. We'll be working with the Department of Health regarding that comment. Yeah, I had the same question and we will work with DOH on that.

Mr. Abrams: Okay.

Vice Chair Mahoney: Okay, thank you. Any further discussion? Hearing none. Chair will entertain a motion.

Mr. Abrams: Chair, I move to approve tentative Subdivision Application No. S-2016-9; Donna E. Richards; proposed 2-lot subdivision; Tax Map Key: (4) 2-5-004:025; Lāwa'i, Kaua'i.

Vice Chair Mahoney: Second. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Motion carries 2:0. Thank you.

Subdivision Application No. S-2016-10; Viola B. Atou Trust; Proposed 2-lot Consolidation; TMK: (4) 4-5-012:003, 010; Kapa'a, Kaua'i

Vice Chair Mahoney: Continuing tentative subdivision approval. Subdivision Application No. S-2016-10; Viola B. Atou Trust; proposed 2-lot consolidation; TMK: (4) 4-5-012:003, 010; Kapa'a, Kaua'i. Could we have a report for this from the Planner, please?

Mr. Cua: Sure. Thank you, Chair. As noted in the subdivision report, the proposal consolidates an existing lot with the former railroad right-of-way into a single lot. Just for the Committee's reference, the applicant is currently...or is acquiring this portion from the State, and as a condition of the sale, they are required to consolidate the portion into the subject property. The proposal has been routed to the various reviewing agencies, and these requirements have been incorporated into the subdivision report. Again, the Department is recommending tentative subdivision approval of this application.

Vice Chair Mahoney: Thank you. Any questions for the Planner?

Mr. Abrams: No.

Vice Chair Mahoney: Is there a representative? The same one. Could you state your name again for the record, please?

Mr. Hiranaka: Alan Hiranaka, Hiranaka Surveying and Mapping.

Vice Chair Mahoney: Okay. Do you have any comments you'd like to make?

Mr. Hiranaka: No. No objections.

Vice Chair Mahoney: Okay.

Mr. Hiranaka: No problem.

Vice Chair Mahoney: This is a tentative subdivision approval. Chair will entertain a motion.

Mr. Abrams: I move to approve tentative subdivision approval for the Viola B. Atou Trust; TMK: (4) 4-5-012:003 and 010; Kapa'a, Kaua'i.

Vice Chair Mahoney: Second. It's been moved and seconded. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Motion carries 2:0. Thank you.

Mr. Hiranaka: Thank you.

Subdivision Application No. S-2016-11; Craig D. & Christine J. Hoglund; Proposed 2-lot Subdivision; TMK: (4) 2-6-014:018; Kōloa, Kaua'i

Vice Chair Mahoney: Continuing tentative subdivision approval. Subdivision Application No. S-2016-11; Craig and Christine J. Hoglund; proposed 2-lot subdivision; TMK: (4) 2-6-014:018; Kōloa, Kaua'i. Can we have the report, please, from the Planner?

Mr. Cua: Okay. Thank you, Chair. The proposal involves a subdivision of a parcel within the Kōloa Estates Subdivision. The subdivision would establish a total of two (2) lots. The proposal, again, has been routed to the various reviewing agencies for their review and comment. These requirements have been incorporated into the subdivision report. Just wanted to note, in the evaluation that the Park fee and EIA fee will be based upon the original Kōloa Estates Subdivision. The Department is recommending tentative subdivision approval of this application.

Vice Chair Mahoney: Any questions for the Planner?

Mr. Abrams: You have a...I guess from Department of Water; their comment, 2.a.

Mr. Cua: Yes.

Mr. Abrams: It says that Parcel 18 is limited to one (1) dwelling and ADU. Okay, so they're waiving...I guess because it's not applicable for that extra...

Mr. Cua: For the...I guess the second home. Once the subdivision is completed and say these resultant lots would then apply for an additional dwelling units, then the applicable fees would be imposed at that time.

Mr. Abrams: Okay, thank you.

Vice Chair Mahoney: Is there a representative for the applicant present? Could you state your name for the record, please?

Roger Caires: Roger Caires, Land Surveyor, representing the owners.

Vice Chair Mahoney: Do you have any questions or understand the...so far, the process in the tentative approval?

Mr. Caires: No questions.

Vice Chair Mahoney: No questions. Are there any questions for the applicant?

Mr. Abrams: No.

Vice Chair Mahoney: Okay. Hearing none. Chair will entertain a motion.

Mr. Abrams: Chair, move to approve tentative Subdivision Application No. S-2016-11; Craig D. and Christine J. Hoglund; Tax Map Key: (4) 2-6-014:018.

Vice Chair Mahoney: Second. It's been moved and seconded. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Motion carries 2:0. Thank you.

Mr. Caires: Thank you.

Final Subdivision Map Approval

Subdivision Application No. S-2015-12; Ōma'o Ranch Lands LLC; Proposed 2-lot Boundary Adjustment; TMK: (4) 2-7-003:005, 024; Ōma'o, Kaua'i

Vice Chair Mahoney: Final Subdivision...

Mr. Abrams: Two (2) more.

Vice Chair Mahoney: Two (2) more. Final Subdivision Map Approval. Subdivision Application No. S-2015-12; Ōma'o Ranch Lands LLC; proposed 2-lot boundary adjustment; TMK: (4) 2-7-003:005, 024; Ōma'o, Kaua'i.

Mr. Cua: Thank you, Mr. Chair. As noted in the subdivision report, the proposal involves a 2-lot boundary adjustment between two (2) existing lots within the Agriculture Zoning District. The final subdivision map has been routed to the various reviewing agencies for their final review and comment. The Department has received all of the necessary approval letters. As a result, the Department is recommending final subdivision map approval of this application.

Vice Chair Mahoney: Any questions from the Commission member to the Planner?

Mr. Abrams: Yes. Dale, I am incredibly blind, I guess, but this triples the...I couldn't find Easement K-1, or Lot K-1...K-2. Wait. I looked in the inset; I could find 1...K-2, excuse me, where I could find that first lot, A-1-A, right?

Mr. Cua: Yes.

Mr. Abrams: Where is K-2?

Mr. Cua: Okay. Prior to the proposal, K-2 is a lot that's situated along Kōloa Road.

Mr. Abrams: Okay.

Mr. Cua: If you are looking at the subdivision map in front of you...

Mr. Abrams: We have the cemetery and the water tank, right?

Mr. Cua: Right. This is on the opposite end of the property, so this is...

Mr. Abrams: Oh, so way up higher?

Mr. Cua: Yes. So this is on the Waimea side of the property.

Mr. Abrams: Okay.

Mr. Cua: On the bottom left-hand corner, there is an existing lot identified as Lot 427-A-2.

Mr. Abrams: I got you.

Mr. Cua: Right...immediately next to it, along its eastern boundary, is Lot K-2.

Mr. Abrams: Got you.

Mr. Cua: So basically, that Lot K-2-A was consolidated to the neighboring property along the northern boundary.

Mr. Abrams: I got you. Because of the size of it, I guess I look at it...because its CPR'd...

Mr. Cua: Right, right.

Mr. Abrams: I was thinking that this is an incredibly large lot.

Mr. Cua: Very large lot. It's a unique lot that is adjacent to two (2) roadways; along its northern side is the highway and the southern side is Kōloa Road.

Mr. Abrams: Okay. Thanks.

Vice Chair Mahoney: Any further questions? Is there a representative for the applicant present? Could you state your name for the record, please?

Mr. Caires: Roger Caires, Land Surveyor.

Vice Chair Mahoney: Any questions for the applicant?

Mr. Abrams: No.

Vice Chair Mahoney: Do you have any questions?

Mr. Caires: No.

Vice Chair Mahoney: Okay. Hearing none. Chair will entertain a motion.

Mr. Abrams: Move for final subdivision approval for Ōma'o Ranch Lands LLC; TMK: (4) 2-7-003:005 and 024; Ōma'o, Kaua'i.

Vice Chair Mahoney: Second. It's been moved and seconded. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Motion carries 2:0. Thank you.

Mr. Caires: Thank you.

Subdivision Application No. S-2016-1; Kukui'ula Development Co. (Hawai'i) LLC;
Proposed 11-lot Boundary Adjustment; TMK: (4) 2-6-020:001-005, 022-027, 030, 032;
Kukui'ula, Kaua'i

Vice Chair Mahoney: Subdivision Application No. S-2016-1; Kukui'ula Development Co. (Hawai'i) LLC; proposed 11-lot boundary adjustment; TMK: (4) 2-6-020:001-005, 022-027, 030, 032; Kukui'ula, Kaua'i.

Mr. Cua: Mr. Chair, in this proposal, it's a boundary adjustment for lots within the Kukui'ula Residential Subdivision, which was previously considered through Subdivision Application S-2011-21. It's a unique application in the sense that shortly after receiving final subdivision approval, the applicant decided to rearrange some of the boundary lines. As a result, eleven (11) lots were affected and came in for a boundary adjustment, so it's a relatively simple subdivision application. The final subdivision map, again, was routed to the various reviewing agencies for their review and approval. The Department has received all of the necessary approval letters. Therefore, we are recommending final subdivision map approval of this application.

Vice Chair Mahoney: Okay, thank you. Any questions for the Planner from the member of the Commission?

Mr. Abrams: No.

Vice Chair Mahoney: Is there a representative for the applicant present? Could you state your name for the record, please?

Lindsay Crawford: Good morning, Commissioners. Lindsay Crawford, Kukui‘ula Development Co. (Hawai‘i) LLC.

Vice Chair Mahoney: Good morning. Any questions by a member...?

Mr. Abrams: No. Now it’s clear how I remember this and some of these conditions...it started...alright. Because I was getting incredibly confused at that point; almost ready to say okay, could we go back through all of these subdivisions and sort of figure out where we’re at, but okay, that helps a lot. Thank you.

Vice Chair Mahoney: I have no questions. Chair will entertain a motion.

Mr. Abrams: Chair, I move to approve final subdivision approval (for) Kukui‘ula Development Co; Application No. S-2016-1; proposed 11-lot boundary adjustment; TMK: (4) 2-6-020:001-005, 022-027, 030, and 032; Kukui‘ula, Kaua‘i.

Vice Chair Mahoney: Second. It’s been moved and seconded. Any further discussion? Hearing none. All in favor? (Unanimous voice vote) Motion carries 2:0. Thank you.

Mr. Crawford: Thank you.

Vice Chair Mahoney: With no further business, meeting adjourned. Thank you.

ADJOURNMENT

Vice Chair Mahoney adjourned the meeting at 8:54 a.m.

Respectfully submitted by:



Darcie Agaran
Commission Support Clerk

() Approved as circulated (add date of meeting approval).

() Approved as amended. See minutes of _____ meeting.